

Species includes any species or subspecies of fish, wildlife, or plant, and any distinct population segment of any species of vertebrate, which interbreeds when mature;

Endangered species means any species that is in danger of extinction throughout all or a significant portion of its range; and

Threatened species means any species that is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range.

How Do We Determine Whether a Species Is Endangered or Threatened?

Section 4(a)(1) of the Act establishes that we determine whether a species is endangered or threatened based on one or more of the five following factors: (A) The present or threatened destruction, modification, or curtailment of its habitat or range; (B) Overutilization for commercial, recreational, scientific, or educational purposes; (C) Disease or predation; (D) The inadequacy of existing regulatory mechanisms; or (E) Other natural or manmade factors affecting its continued existence. Section 4(a)(1) of the Act requires that our determination be made on the basis of the best scientific and commercial data available.

What Could Happen as a Result of Our Review?

For each species under review, if we find new information that indicates a change in classification may be warranted, we may propose a new rule that could do one of the following: (a) Reclassify the species from threatened to endangered (uplist); (b) Reclassify the species from endangered to threatened (downlist); or (c) Remove the species from the List (delist). If we determine that a change in classification is not warranted, then the species will remain on the List under its current status.

Authority: This document is published under the authority of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531).

Dated: November 24, 2008.

Wendi Weber,

Acting Regional Director, Northeast Region,
Fish and Wildlife Service.

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS-R8-ES-2008-N0338; 80221-1113-0000-F5]

Endangered Species Recovery Permit Applications

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of receipt of permit applications; request for comment.

SUMMARY: We invite the public to comment on the following applications to conduct certain activities with endangered species.

DATES: Comments on these permit applications must be received on or before January 15, 2009.

ADDRESSES: Written data or comments should be submitted to the U.S. Fish and Wildlife Service, Endangered Species Program Manager, Region 8, 2800 Cottage Way, Room W-2606, Sacramento, CA, 95825 (telephone: 916-414-6464; fax: 916-414-6486). Please refer to the respective permit number for each application when submitting comments. All comments received, including names and addresses, will become part of the official administrative record and may be made available to the public.

FOR FURTHER INFORMATION CONTACT: Daniel Marquez, Fish and Wildlife Biologist, see **ADDRESSES**, (telephone: 760-431-9440; fax: 760-431-9624).

SUPPLEMENTARY INFORMATION: The following applicants have applied for scientific research permits to conduct certain activities with endangered species pursuant to section 10(a)(1)(A) of the Endangered Species Act (16 U.S.C. 1531 *et seq.*). The U.S. Fish and Wildlife Service ("we") solicits review and comment from local, State, and Federal agencies, and the public on the following permit requests. Before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Permit No. TE-054011

Applicant: John F. Green, Riverside, California

The applicant requests a permit to take (capture and release) the San

Bernardino kangaroo rat (*Dipodomys merriami parvus*) in conjunction with surveys throughout the range of the species in California for the purpose of enhancing their survival.

Permit No. TE-198929

Applicant: James T. Smith, Carlsbad, California

The applicant requests a permit to take (capture, collect, and kill) the Conservancy fairy shrimp (*Branchinecta conservatio*), the longhorn fairy shrimp (*Branchinecta longiantenna*), the Riverside fairy shrimp (*Streptocephalus wootoni*), the San Diego fairy shrimp (*Branchinecta sandiegonensis*), and the vernal pool tadpole shrimp (*Lepidurus packardii*) in conjunction with surveys throughout the range of each species in California for the purpose of enhancing their survival.

Permit No. TE-198925

Applicant: Genevieve K. Walden, San Francisco, California

The applicant requests a permit to remove/remove to possession the Phacelia argillacea (Clay phacelia), Phacelia formosula (North Park phacelia), *Phacelia insularis* subsp *insularis* (island phacelia), *Eriodictyon altissimum* (Indian Knob mountain balm), and *Eriodictyon capitatum* (Lompoc yerba santa) from federal lands in conjunction with genetic research sampling for the purpose of enhancing their survival.

Permit No. TE-198922

Applicant: Latisha M. Burnaugh, Sacramento, California

The applicant requests a permit to take (capture, collect, and kill) the Conservancy fairy shrimp (*Branchinecta conservatio*), the longhorn fairy shrimp (*Branchinecta longiantenna*), the Riverside fairy shrimp (*Streptocephalus wootoni*), the San Diego fairy shrimp (*Branchinecta sandiegonensis*), and the vernal pool tadpole shrimp (*Lepidurus packardii*) in conjunction with surveys throughout the range of each species in California for the purpose of enhancing their survival.

Permit No. TE-198917

Applicant: Dirk T. Pedersen, McKinleyville, California

The applicant requests a permit to take (survey, capture, and release) the tidewater goby (*Eucyclogobius newberryi*), in conjunction with surveys and population monitoring throughout the range of the species in California, for the purpose of enhancing its survival.

Permit No. TE-198915

Applicant: Trevor M. Lucas, McKinleyville, California

The applicant requests a permit to take (survey, capture, and release) the tidewater goby (*Eucyclogobius newberryi*), in conjunction with surveys and population monitoring throughout the range of the species in California, for the purpose of enhancing its survival.

Permit No. TE-198910

Applicant: Lauren D. Dusek, Arcata, California

The applicant requests a permit to take (survey, capture, and release) the tidewater goby (*Eucyclogobius newberryi*), in conjunction with surveys and population monitoring throughout the range of the species in California, for the purpose of enhancing its survival.

Permit No. TE-132855

Applicant: Carly M. Spahr, Port Hueneme, California

The applicant requests an amendment to take (harass by survey, and locate/monitor nests) the California least tern (*Sterna Antillarum browni*) in conjunction with surveys and population monitoring studies within Ventura County, California, for the purpose of enhancing its survival.

Permit No. TE-200340

Applicant: Andrew R. Hatch, South Lake Tahoe, California

The applicant requests a permit to take (survey, capture, handle, and release) the California tiger salamander (*Ambystoma californiense*) in conjunction with surveys throughout the range of the species in California, for the purpose of enhancing its survival.

Permit No. TE-200339

Applicant: Sarah M. Foster, Sacramento, California

The applicant requests a permit to take (survey, capture, handle, and release) the California tiger salamander (*Ambystoma californiense*) in conjunction with surveys throughout the range of the species in California, for the purpose of enhancing its survival.

Permit No. TE-016381

Applicant: United States Geological Survey, Dixon, California

The applicant requests an amendment to take (capture, collect, and sacrifice) the desert pupfish (*Cyprinodon macularius*) in conjunction with scientific research in Imperial County, California for the purpose of enhancing its survival.

Permit No. TE-179036

Applicant: Cullen A Wilkerson, Kensington, California

The applicant requests an amendment permit to take (survey, capture, handle, and release) the San Francisco garter snake (*Thamnophis sirtalis tetrataenia*) and the California tiger salamander (*Ambystoma californiense*) in conjunction with surveys within Solano, Napa Yolo, Butte, Contra Costa, San Mateo, Alameda, San Joaquin, and Santa Clara Counties, California for the purpose of enhancing its survival.

Permit No. TE-829554

Applicant: Barbara E. Kus, San Diego, California

The applicant requests a permit amendment to take (collect feathers) the least Bell's vireo (*Vireo bellii pusillus*) in conjunction with genetic studies throughout the range of the species in California, Nevada, Arizona, and New Mexico, and take (locate and monitor nests, capture, band, color-band, and release) the least Bell's vireo (*Vireo bellii pusillus*) in conjunction with population monitoring studies throughout the range of the species in Nevada and Arizona for the purpose of enhancing its survival.

Permit No. TE-032195

Applicant: Sean R. Avent, San Francisco, California

The applicant requests an amendment permit to take (survey, capture, handle, and release) the California tiger salamander (*Ambystoma californiense*) in conjunction with surveys throughout the range of the species in California, for the purpose of enhancing its survival.

We solicit public review and comment on each of these recovery permit applications. Comments and materials we receive will be available for public inspection, by appointment, during normal business hours at the address listed in the **ADDRESSES** section of this notice.

Dated: December 9, 2008.

Michael Fris,

Acting Regional Director, Region 8, Sacramento, California.

[FR Doc. E8-29666 Filed 12-15-08; 8:45 am]

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DEPARTMENT OF THE INTERIOR**Fish and Wildlife Service**

[FWS-R5-R-2008-N0258; 50133-1265-JAHP]

John Hay National Wildlife Refuge, Merrimack County, NH

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of intent to prepare a comprehensive conservation plan and environmental assessment; request for comments.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), intend to prepare a comprehensive conservation plan (CCP) and an associated National Environmental Policy Act (NEPA) document for John Hay National Wildlife Refuge (NWR). We provide this notice in compliance with our planning policy to advise other agencies, Tribes, and the public of our intentions, and to obtain suggestions and information on the scope of issues to consider. We are also requesting public comments.

DATES: To ensure consideration, we must receive your written comments by January 15, 2009. We will hold public meetings to begin the CCP planning process; see *Public Meetings* under **SUPPLEMENTARY INFORMATION**. We will announce opportunities for public input in local news media throughout the CCP planning process, and will announce upcoming public meetings in local news media and the refuge Web site.

ADDRESSES: Send your comments or requests for more information by any one of the following methods:

Electronic mail: northeastplanning@fws.gov. Include "John Hay NWR CCP/EA" in the subject line of the message.

U.S. Postal Service: Eastern Massachusetts NWR Complex, 73 Weir Hill Road, Sudbury, MA 01776.

In-Person Drop-off, Viewing, or Pickup: Call 978-443-4661 to make an appointment during regular business hours at the Sudbury address.

Fax: 978-443-2898.

FOR FURTHER INFORMATION CONTACT:

Andrew French or Barry Parrish, Refuge/Project Leader, at 413-558-8002, or Carl Melberg, Planning Team Leader, at 978-443-4661.

SUPPLEMENTARY INFORMATION:**Introduction**

With this notice, we initiate our process for developing a CCP for John Hay NWR in Merrimack County, New Hampshire. We provide this notice in compliance with our planning policy to